

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 2002-017812

02/04/2003

HON. JONATHAN H. SCHWARTZ

CLERK OF THE COURT
Y. Cheney
Deputy

FILED: 02/06/2003

STATE OF ARIZONA

H RENE BACA

v.

GLENN EVANS JOHNSON
DOB: 5/1/61

STEPHEN J WHELIHAN

APO-SENTENCE IMPRISON-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR
VICTIM SERVICES DIV-CA-CCC

SENTENCE OF IMPRISONMENT

8:40 a.m. This is the time set for sentencing.

State's Attorney:	Sheri Freemont for H. Rene Baca
Defendant's Attorney:	Stephen J. Whelihan
Defendant:	Present in custody
Court Reporter:	Janell Rose

IT IS ORDERED denying Defendant's oral Motion to Withdraw from the Plea Agreement for reasons as set forth on the record.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Amended Count 1: Possession of Narcotic Drugs for Sale with one prior felony conviction

Class 2 felony

A.R.S. § 13-3401, 3408, 3418, 604, 701, 702, 702.01, and 801

Date of Offense: 10/8/02

Non Dangerous - Repetitive

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AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1 (amended): 4.5 years from 2/4/03
Presentence Incarceration Credit: 120 days
Exceptionally Mitigated

Pursuant to A.R.S. § 13-604, the Court finds that the Defendant has been convicted of the following prior felony offenses:

Burglary in the Third Degree, a class 4 felony, committed on 11/6/97 and convicted on 1/8/98 in CR97-013040 in Maricopa County Superior Court.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

FINE: Total amount of \$2,000.00. Surcharges are waived.

Fine is to be paid to the Arizona Drug Enforcement Fund.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED exonerating any bond previously posted in this matter, if any.

IT IS ORDERED granting the Motion To Dismiss the following: the allegation under 13-604 that the Defendant has any other convictions.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this order together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HON. JONATHAN H. SCHWARTZ
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)